Case No: 15/00328/FUL (FULL PLANNING APPLICATION)
Proposal: 3-BEDROOM DETACHED 1.5 STOREY DWELLING
Location: LAND AT 67 ERMINE STREET GREAT STUKELEY
Applicant: CONNOLLY-DEVELOPMENTS LTD (FAO MR T CONNOLLY)
Grid Ref: 522141 274493
Date of Registration: 05.03.2015
Parish: THE STUKELEYS

RECOMMENDATION - REFUSE
This application has been referred to Panel as The Stukeleys Parish Council recommend approval, contrary to the officer recommendation of refusal.

1. DESCRIPTION OF SITE AND APPLICATION

1.1 The application relates to a site on the south-eastern outskirts of Great Stukeley. The site forms part of the garden of 67 Ermine Street, a detached single storey dwelling, which is understood to date from the 1840s and was formerly associated with Grade II listed Stukeley Hall, which lies some distance to the north-east, and its parkland, a large remnant of which lies to the east of the site. The site has been subdivided from 67 Ermine Street with close boarded fences. There are ranch type fences to the northern part of the side of the plot with the parkland and there is dense landscaping to the rear boundary.

1.2 The site is irregular in shape and tapers to the rear. To the east lies parkland and to the north-west a recent development of three detached dwellings with outbuildings and to the north, the back gardens of a residential development (Beech Avenue).

1.3 The proposal is to erect a 3 bedroom detached 1.5 storey dwelling with first floor accommodation in the roofsapce behind 67 Ermine Street. The existing access from the classified road (B1043) to 67 Ermine Street would be widened to 5m for the first 10m and shared between the two households and a new driveway would be created around the south-east, east and north-east parts of the garden for the new dwelling.

1.4 The application follows the recent refusal of an application for a dwelling with the same access following the Panel meeting of 19th January 2015 (COPY REPORT ATTACHED). The application is accompanied by a Design and Access Statement and a Planning Statement.
1.5 There is a public path right of way between Ermine Street to Green End which crosses the parkland rear of the site and a public bridleway to the south opposite the access to the site.

2. NATIONAL GUIDANCE

2.1 The National Planning Policy Framework (2012)(NPPF)

- Paragraph 7 Achieving sustainable development
- Paragraph 17 Core Planning Principles
- Section 4 Promoting sustainable transport
- Section 6 Delivering a wide choice of high quality homes
- Section 7 Requiring good design
- Section 11 Conserving and enhancing the natural environment
- Section 12 Conserving and enhancing the historic environment
- Paragraphs 215 and 216 of the NPPF relate to the weight to be given to policies.

2.2 The Planning Practice Guidance (PPG) accompanying the NPPF provides further guidance.

For full details visit the government website

3. PLANNING POLICIES

3.1 Saved policies from the Huntingdonshire Local Plan (1995)

- En12: “Archaeological Implications”
- En18: “Protection of countryside features”
- En25: “General Design Criteria”
- H31: “Residential privacy and amenity standards”
- H32: “Sub-division of large curtilages”
- H35: “Tandem development”

3.2 Saved policies from the Huntingdonshire Local Plan Alteration (2002)

- HL5 - Quality and Density of Development

3.3 Adopted Huntingdonshire Local Development Framework Core Strategy (2009)

- CS1: “Sustainable development in Huntingdonshire”
- CS3: “The Settlement Hierarchy” residential infilling acceptable where appropriate in Great Stukeley
- CS10: “Contributions to Infrastructure Requirements”

3.4 Draft Huntingdonshire Local Plan to 2036: Stage 3 (2013)

- Policy LP 1 Strategy and principles for development
- Policy LP 10 Development in Small Settlements
• Policy LP 11 The Relationship Between the Built-up Area and the Countryside - Great Stukeley is defined as a small settlement.
• Policy LP 13 Quality of Design
• Policy LP 15 Ensuring a High Standard of Amenity
• Policy LP 17 Sustainable Travel
• Policy LP 18 Parking Provision
• Policy LP 29 Trees, Woodland and Related Features
• Policy LP 31 Heritage Assets and their Settings

3.5 Huntingdonshire Design Guide (2007)
3.6 Huntingdonshire Landscape and Townscape Assessment (2007)
3.7 Developer Contributions Supplementary Planning Document (2011)

Local policies are viewable at https://www.huntingdonshire.gov.uk

4. PLANNING HISTORY

1401707FUL - Detached dwelling refused 22.01.2015 (PANEL REPORT ATTACHED). The application was refused for the following reasons:

1. The proposed development does not represent good design, and would result in a dwelling and curtilage not of a size and form sympathetic to the locality. The addition of a dwelling to the rear of the gatehouse would result in back land development, with a contrived access route. Development of this form would be out of keeping with the character of the area, which is of a linear form along Ermine Street. The proposed development fails to contribute positively to the character and appearance of the rural area.

2. The proposed development, by virtue of its height, depth and proximity to the boundary, would harm the private amenity space associated with No. 65 Ermine Street by reason of overshadowing.

1400917FUL - Erection of a four bedroom detached 1.5 storey dwelling – withdrawn.

1400152EXTDET - Erection of single storey flat roof extension, (extends beyond the rear wall by 8 metres, maximum height of 3 metres and height of 3 metres to eaves) – approved.

1300972FUL - Demolition of existing bungalow and erection of three detached one and a half storey dwellings and relocated vehicular access – withdrawn.

5. CONSULTATIONS

5.1 The Stukeleys Parish Council – Recommend Approval (Copy Attached).
5.2 Cambridgeshire County Council Highway Authority - The proposed access looks to be adequate with regards to geometry and the vehicle to vehicle visibility is in accordance with the speed of the road. Given the above I have no objections to that proposed.

Conditions recommended in relation to no gates to be erected across the approved access unless details agreed with the Local Planning Authority, access to be a minimum width of 5 metres for 10 metres, access to be constructed in accordance with Highway Authority standard and parking area to be provided before occupation and thereafter retained.

5.3 Cambridgeshire County Council Archaeology: No objection subject to a programme of archaeological investigation.

5.4 HDC Transportation: No objections to proposed 5m wide access and 4.2m wide driveway although, contrary to the County Council’s request, a 4.1m wide access would suffice.

6. REPRESENTATIONS

6.1 Two objections from 65 Ermine Street and 23 Green End:

- The proposal increases the overshadowing of 65 Ermine Street due to the higher ridge and inclusion of gable ends instead of the hipped roof of the previous scheme. The scheme will overshadow the extensively used patio between 65’s house and garage.

- The scheme does not address the reason for refusal relating to the backland access and contrived access and development being out of keeping with the linear form.

- Much of the hedge that obstructed views from 65 over the site to the fields was removed before the current owner bought the site. The proposed building will have a significant impact on views over the site to fields beyond.

- Concern about highway safety.

- Scheme is ‘shoe horning’ a dwelling onto small parcel of land, access is tight- suggest retain property as it is,

- Concern precedent may be set for development in parkland.

- Seek preservation of existing lodge and grounds.

7. Assessment

7.1 The main issues to consider are:

- the principle of development
- impact on the character and appearance of the area,
- impact on amenity,
- impact on trees,
- parking and highway safety,
- wheeled bin contributions.
Principle of residential development:

7.2 Paragraph 49 of the NPPF states that housing applications should be considered in the context of the presumption in favour of sustainable development. The NPPF seeks to provide high quality homes and, in the case of rural areas, the NPPF states that housing should be located where it will enhance or maintain the vitality of rural communities. Paragraph 53 states that Local planning authorities should consider the case for setting out policies to resist inappropriate development of residential gardens, for example where development would cause harm to the local area.

7.3 Policy CS3 of the Adopted Core Strategy identifies Great Stukeley as a Smaller Settlement in which residential infilling will be appropriate within the built-up area. Policy LP 10 of the Draft Local Plan states that a proposal which is located within the built-up area of a Small Settlement will be considered on individual sustainability merit and having regard to other policies in the Local Plan.

7.4 The application site is considered to lie within the built up area of Great Stukeley when considered against policy CS3 of the Core Strategy.

7.5 These policies are consistent with the NPPF, particularly paragraph 7, which details the three dimensions of sustainable development, and can be given significant weight. Policies in the emerging Local Plan may be subject to change and therefore limited weight can be attributed to policy LP10.

7.6 In considering the sustainability matters, due regard is had to the fact that Great Stukeley has limited services. Residents are likely to access services in Huntingdon. Policy LP10 also states that the effect on the character of the settlement and surroundings will be considered as part of the sustainability issue.

7.7 Whilst the development may be acceptable when assessed solely against settlement policy, for reasons set out within this report the form of development (being backland and out of character with the linear form of development that characterises the area), means that any new dwelling in this position to the rear of 67 Ermine Street would be unacceptable. For this reason, the principle of development is unacceptable.

7.8 It is also necessary to consider whether this revised scheme has overcome the concerns about impact on the character and appearance of the area and neighbour amenity, which were the reasons for refusing 1401707FUL.

Impact on the character and appearance of the area:

7.9 67 Ermine Street once had an historic association with Stukeley Hall, being the former gatehouse to Stukeley Park, and it contributes to the understanding of the arrangement of parkland (Stukeley Park) around the listed building. The building is considered to be an attractive historic building of architectural interest, with a distinctive hipped roof and an outlook to the front and east. The building is an appropriate form of development on the edge of the planned landscaping which
characterises the appearance of the land north of Ermine Street. 67 Ermine Street is considered to be well related to the parkland setting, even though high conifer hedges and new fences and a carport create an unfortunate visual barrier between the existing dwelling and the parkland.

7.10 The north-east side of Ermine Street within the immediate locality is characterised by buildings set back from the highway in relatively spacious plots. Development is linear in form along Ermine Street i.e. the buildings front onto Ermine Street. The plots north-west of 67 Ermine Street are generally of a similar depth and 61, 63 and 65 are of a similar width. The plot of 67 Ermine Street is wider than others at the front and tapers to a significantly narrower size to the rear and the dwelling at 67 is orientated at an angle towards its access rather than being parallel to the road. Although a residential estate lies to the rear of the properties along Ermine Street, there are no examples of in-depth development along this part of Ermine Street. There are a number of buildings to the rear of 65 Ermine Street but these are all ancillary and subservient to the main dwelling. The new dwelling would be visible from Ermine Street and the right of way to the rear.

7.11 New fencing was erected on the site to subdivide the site and provide 67 with a smaller garden before the last application was considered. The approval of the application would result in the permanent subdivision of the plot to create two irregularly shaped gardens much smaller than the gardens of the properties to the north-west, and to erect a backland dwelling which would be out of character with the area: both gardens would be shorter than the gardens to the north-west and the backland plot would be much narrower at the back than the gardens to the north-west. The new dividing fencing behind 67 is visible up the access to 67 and from Ermine Street and would become more visible with the proposed widening of the access.

7.12 Paragraph 56 of the NPPF states that good design is a key aspect of sustainable development and is indivisible from good planning. Paragraph 58 aims to ensure development, amongst other issues, responds to the local character history and reflects the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation and seeks to ensure a visually attractive result of good architecture. Paragraph 64 states that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.

7.13 The proposed dwelling would be narrower (measured from front to back) than 67 Ermine Street but would have the same length of front elevation as the frontage dwelling. However, the new dwelling would have a large first floor area with a front projecting gable and a dormer to the front and dormers and rooflights to the rear. The scale of the building and its design, incorporating a gable-ended roof, does not respect the distinctive hipped roof and single-storey appearance of the frontage dwelling at 67 Ermine Street. The applicant advises that the design was based on the design of the new houses to the north-west (61, 63 and 65) but this design and scale appears incongruous when located directly behind 67. The use of materials to match the lodge would not overcome this concern.
7.14 The applicant has scaled down the footprint of the dwelling compared to the previously refused scheme and proposes to set the building further back than before. However, the current scheme now includes a larger first floor area of 6.995m x 11.915m with 3 bedrooms, an ensuite, walk-in wardrobe and bathroom whereas the recently refused scheme was for a first floor measuring 5.265 x 9.275 (excluding the first floor landing and stairs) and providing only 1 bedroom and an ensuite on the first floor.

7.15 The ridge is now proposed to be 11.915m long and 6.65m high excluding damp proof course and 6.74 including it (in contrast to the previous refused scheme which entailed a shorter and lower main ridge approximately 7.7m long and 6.060m high). The applicant advises that the ridge height would be the same as the ridge of the frontage dwelling and points out that the ridge would be lower than the ridge of 65’s garage.

7.16 The proposed dwelling is a similar width as the host dwelling but, as the site tapers, much less space would be retained around the new dwelling than would be retained for 67 Ermine Street and the backland position would to be incongruous in the context of the other properties to the north-west in Ermine Street.

7.17 It is considered that the proposed dwelling is of not of appropriate scale or design, due to the lack of a frontage to the road, the backland location, the poor relationship with the parkland setting and, when compared to the existing gatehouse dwelling, the inappropriate height and scale of the building and the lack of the single-storey proportions and the lack of a hipped roof.

7.18 There is a high conifer hedge at the front of 67 Ermine Street, either side of the access and on part of the east side of the site. However, the proposed dwelling would be visible along the existing access (which is to be widened) between the gatehouse and new cart lodge, from Ermine Street and the adjacent parkland and rights of way and for example from the west, particularly when trees are not in leaf. Having regard to the siting, scale and design of the proposed dwelling the development is considered to result in a dwelling and curtilage which is unsympathetic to the locality including the parkland setting. The applicant’s offer to replace the conifer tree boundary to the parkland and introduce a low native hedge and post and rail fence has been taken into account and would, enhance the setting of the parkland although the fencing behind the cart lodge and lodge would presumably still remain to provide privacy for the occupiers of 67. However, the removal of the conifer hedge would not outweigh the concerns about the development.

7.19 The Parish Council’s suggestion that the new house would be seen against the backdrop of housing in Elm Road and Beech Avenue and therefore there would be no adverse effect on the openness of the landscape of Stukeley Park has been considered. However, views from the south-east over the site and to the north-west and Elm Road and Beech Avenue are obscured by high hedging along Ermine Street. The development would intrude into views of the parkland from the highway, for example between 65 and 67 Ermine Street, and from the elevated view from the right of way crossing the Park north-east of the site.
7.20 It is considered that there is no reason to overturn the recent previous refusal. The addition of a dwelling to the rear of the gatehouse would result in unacceptable backland/tandem development, with a contrived access route. Development of this form would be out of keeping with the character of the area, which is of a linear form along Ermine Street and would result in a dwelling and curtilage of a size and form unsympathetic to the locality. The proposed development would fail to respect the established pattern of development, and would fail to positively contribute to the character and appearance of the rural area. The amendments to the last refused application have not overcome the concerns about the impact on the character and appearance of the area.

7.21 The proposal is contrary to policies En25 H32 and H35 of the Huntingdonshire Local Plan 1995, policy HL5 of the Huntingdonshire Local Plan Alteration (2002), policy CS1 of the Adopted Core Strategy 2009, Draft Policies LP10 and LP13 of the Local Plan to 2036: Stage 3, and the Huntingdonshire Design Guide 2007. These policies are consistent with the emphasis in the NPPF on the importance of good design, and the protection of local distinctiveness, particularly paragraphs 7, 17, 56, 58 and 60 and can be given significant weight in the determination of this application. However, policies within the emerging Local Plan to 2036 may be subject to change and therefore limited weight can be attributed to policies LP10 and LP13.

Impact on amenity:

7.22 The separation distance between the front of the proposed dwelling and rear of the host dwelling has been increased since the last refused scheme to approximately 25 metres. A close boarded fence divides the site, which is slightly elevated compared to the remnant of garden for 67 Ermine Street. Given the separation distance and, as the only first floor front windows serve a bathroom and walk-in wardrobe, it is considered that the proposal would not have a significant detrimental impact on amenity of 67 Ermine Street by reason of overlooking, overshadowing or being overbearing. If the scheme had been approved a condition could ensure that the first floor front windows were detailed to avoid overlooking of 67 e.g. with obscure glazing and opening restrictions.

7.23 It is recognised that there is likely to be some noise and disturbance with the shared use of the access and the use of the proposed gravel driveway, however, given the separation space, this is not considered to result in a significant detrimental impact on amenity.

7.24 No. 65 Ermine Street is located to the west / north west of the application site and on higher ground than the application site. 65’s first floor dormer windows face towards the site and 67 Ermine Street. A fence forms the boundary. The windows of No. 65 face towards the proposed parking area for the dwelling. Whilst they would overlook this area this would result in any significant detrimental impact on amenity of the future occupiers of the proposed dwelling as this cannot be considered to be private amenity space.

7.25 The proposed dwelling is now located further back than the recently rejected scheme behind 65’s garage. The new dwelling has a shorter
side elevation facing 65 and would be 2.7 metres away at its closest point. The introduction of a gable end means that the upper bulk would be closer to 65 than previously proposed. The submitted plans do not show an outbuilding used as a study west of the site and north of 65 Ermine Street’s garage. However, the proposal would not have an unduly adverse effect on the study.

7.26 The proposed dwelling has been designed with no north-west first floor side windows. A door is proposed to the utility room on the north-west side. Oblique overlooking from the first floor front windows can be avoided with obscure glazing and opening restriction. Given the separation space and boundary treatment that exists, this would not result in a significant detrimental impact on amenity by reason of overlooking of 65.

7.27 The previous application was rejected on the basis of the shading of 65’s patio between the garage and dwelling. However, the current scheme is considered to have adequately overcome the concern about the effect on the patio area due to the setting back of the proposed dwelling. Having regard to the relationship of the proposed dwelling and private amenity, it is considered that this would not result in a significant detrimental impact on amenity by reason of overshadowing or overbearing effects or harm to the outlook from 65.

7.28 The proposal is considered to comply with policy H34 of the Local Plan, policy LP15 of the Draft Local Plan to 2036 and the NPPF as these policies are considered to be consistent with the core planning principle in the NPPF (paragraph 17) of securing a good standard of amenity for all existing and future occupants of land and buildings. H34 has significant weight but, as the policies within the emerging Local Plan may be subject to change, only limited weight can be attributed to policy LP15.

Trees and landscaping:

7.29 Trees north of the site are protected by a Tree Preservation Order but the new dwelling would be far enough away from these trees to avoid harm to them.

7.30 Two trees adjoining the proposed driveway to the proposed dwelling are indicated to be retained, but there are concerns over the feasibility of their retention and provision of the access. If development were permitted, then these trees should be retained. If this were not possible then replacement trees should be planted.

7.31 The Parish Council in their recommendation on the previous application, required a condition for a mixed native species hedgerow along the boundary with Great Stukeley Hall parkland. Whilst this application is not being recommended for approval, the applicants have previously advised that they are agreeable to this request and if the application had been approved, this detail should be secured by planning condition.

7.32 The proposal if permitted would comply with policies En18 and LP29 subject to the imposition of appropriate conditions, to either retain the trees or provide replacement trees. A refusal could not be justified on tree grounds alone. These policies are consistent with the NPPF.
paragraph 17 which seeks to conserve and enhance the natural
environment, however as policy LP29 is an emerging policy it can
only be afforded limited weight.

Parking and Highway:

7.33 Parking is available on the site. Whilst no dedicated cycle parking is
indicated, there is space within the site to enable this to be provided
securely.

7.34 The County Council Highway Authority has been consulted on the
access and they have advised that the proposed access looks to be
adequate with regards to geometry and the vehicle to vehicle visibility
is in accordance with the speed of the road. Whilst noting concerns
have been raised in the representations received, the Highway
Authority has no objections to the development. It is not considered
that this development harms highway safety.

7.35 The proposal therefore accords with policies LP17 and LP18 of the
Draft Huntingdonshire Local Plan to 2036: Stage 3 (2013). These
policies are consistent with the NPPF paragraph 32 that requires safe
and suitable access to the site for all people, however as these are
emerging policies they can only be afforded limited weight.

Archaeology:

7.36 The County Council advises that records indicate that the site lies in
an area of high archaeological potential. Archaeological excavations
directly to the sites west revealed multi-period remains (including
human remains) ranging from the Romano-British period through to
the post-mediaeval period. The site is adjacent to the route of Ermine
Street (a Roman road) and is likely to have remains associated with
this road within its boundary. Two Roman burial mounds are also
present within 300m to the north west of the current application area.

7.37 The County Council advises that the site should be subject to a
programme of archaeological investigation and recommend that this
work should be commissioned and undertaken at the expense of the
developer.

7.38 If the application had been recommended for approval a condition
would have been considered necessary to secure a programme of
archaeological work.

7.39 The proposal if permitted would comply with policy En12, and Draft
Local Plan policy LP31 subject to the imposition of appropriate
conditions. These policies are consistent with the NPPF paragraph
17 which seeks to conserve heritage assets, and policy En12 has
significant weight but as policy LP31 is an emerging policy it can only
be afforded limited weight.

Bin Contributions:

7.40 The applicant has submitted a completed Wheeled Bin Contribution
Unilateral Undertaking. Therefore the development accords with the
Developer Contribution SPD.
Other Matters not already taken into consideration:

7.41 Third party query: can the Council put a preservation order on the building and its grounds to stop further development destroying historical parts of the village? Anyone wishing to suggest a building for listing would need to contact Historic England (formerly English Heritage), the details and forms that would need to be completed and the criteria used to determine how buildings are chosen are set out on their website. The decision on whether to list a building is taken by Secretary of State for Culture, Olympics, Media and Sport and is out of the control of the Council.

7.42 Precedent for parkland development - each case is considered on its own merits but the parkland is considered to be outside the built up area of the settlement.

7.43 The applicant suggests that various schemes are relevant, including a backland development approved in 2010 in Godmanchester (1001619FUL) and a dwelling at 20 Ermine Street approved on parts of the garden of 12 Church Road and 24 Ermine Street (0901100FUL). However, each case has to be considered on its own merits and the Godmanchester and 20 Ermine Street developments were in an area of varied plot sizes and layout which are considered to be in keeping with the surroundings, whereas the current proposal would clearly be out of keeping with its surroundings.

7.44 The Council’s Annual Monitoring Report (January 2015) Chapter 5 shows that an adequate housing land supply exists and therefore there is no justification for the proposal on the basis of housing land supply.

7.45 The desirability of securing an additional dwelling in the village does not outweigh the harm caused by the proposal.

Conclusion

7.46 The proposed development is considered to be unacceptable and would harm the character and appearance of the area.

7.47 Having regard to applicable national and local planning policies and having taken all relevant material considerations into account, it is therefore recommended that planning permission should be refused.

8. RECOMMENDATION – REFUSE for the following reasons:

1. The proposed development does not represent good design, and would result in a dwelling and curtilage not of a size and form sympathetic to the locality. The addition of a dwelling to the rear of the gatehouse would result in backland/tandem development, with a contrived access route. Development of this form would be out of keeping with the character of the area, which is of a linear form along Ermine Street. The proposed development fails to contribute positively to the character and appearance of the rural area. The proposal is contrary to policy En25 H32 and H35 of the Huntingdonshire Local Plan 1995, policy HL5 of the Huntingdonshire Local Plan Alteration (2002), policy CS1 of the Adopted Core
Strategy 2009, Draft Policy LP10 and LP13 of the Local Plan to 2036: Stage 3, and the Huntingdonshire Design Guide, Section 1.2.6 and 2.2, and paragraphs 7, 17, 56, 58 and 60 of the NPPF.

If you would like a translation of this document, a large text version or an audio version, please contact us on 01480 388388 and we will try to accommodate your needs.

CONTACT OFFICER:
Enquiries about this report to Sheila Lindsay Development Management Officer 01480 388247
Planning Application comments have been made. A summary of the comments is provided below.

Comments were submitted at 2:56 PM on 12 May 2015 from Mrs Carole Pollock.

**Application Summary**
- **Address:** Land At 67 Ermine Street Great Stukeley
- **Proposal:** 3-Bedroom detached 1.5 storey dwelling
- **Case Officer:** Sheila Lindsay

**Customer Details**
- **Name:** Mrs Carole Pollock
- **Email:** parishclerk.spc@btinternet.com
- **Address:** 5 Gore Tree Road, Hemingford Grey, Cambridgeshire PE28 9BP

**Comments Details**
- **Commenter Type:** Town or Parish Council
- **Stance:** Customer made comments in support of the Planning Application
- **Reasons for comment:**
  - The Parish Council resolved to recommend approval as: - there would be no adverse impact on the street scene - the proposed house would be seen against the backdrop of existing housing in depth in Elm Road and Beech Avenue so there would be no adverse impact on the openness of the landscape of Stukeley Park - the proposed house would not impose on the outlook from the adjacent house to the north as would have the previous application refused by the district council - it would provide a modestly scaled new house of a type which is in short supply in the village.
GREEN PAPERS FOLLOW
Case No: 1401707FUL  (FULL PLANNING APPLICATION)
Proposal:  DETACHED DWELLING
Location:  LAND AT 67 ERMINE STREET  GREAT STUKELEY
Applicant:  CONNOLLY-DEVELOPMENTS LTD (FAO MR T CONNOLLY)
Grid Ref:  522141   274493
Date of Registration:   27.10.2014
Parish:   THE STUKELEYS

RECOMMENDATION  -  REFUSE

This application has been referred to Development Management Panel because the Town Council has recommended approval, contrary to the officer recommendation of refusal.

1.  DESCRIPTION OF SITE AND APPLICATION

1.1  The site is a plot of land located to the immediate rear (north) of 67 Ermine Street, a detached single storey dwelling formally associated with Stukeley Hall.

1.2  67 Ermine Street is served by a single access point. The site is irregular in shape, to the east lies parkland and to the north west a recent residential development of three detached dwellings and to the north a residential estate. There are a number of trees adjacent to and within the site.

1.3  The proposal seeks the erection of a 3 bedroom detached chalet style dwelling. The application site forms part of the garden of 67 Ermine Street and has been subdivided with close boarded fence. Access to the site is to be gained via the existing access, with a new gravel drive around the recently erected fencing on the eastern boundary.

2.  NATIONAL GUIDANCE

2.1  The National Planning Policy Framework (2012)

   Paragraph 7 Achieving sustainable development
   Paragraph 17 Core Planning Principles
   Section 4 Promoting sustainable transport
   Section Delivering a wide choice of high quality homes
   Section 7 Requiring good design
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3. PLANNING POLICIES

3.1 Saved policies from the Huntingdonshire Local Plan (1995)

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- CS1: “Sustainable development in Huntingdonshire”
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3.4 Draft Huntingdonshire Local Plan to 2036: Stage 3 (2013)

- Policy LP 1 Strategy and principles for development
- Policy LP 10 Development in Small Settlements
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- Policy LP 18 Parking Provision
- Policy LP 29 Trees, Woodland and Related Features
- Policy LP 31 Heritage Assets and their Settings

3.5 Huntingdonshire Design Guide (2007)

3.6 Huntingdonshire Landscape and Townscape Assessment (2007)

3.7 Developers Contributions SPD

4. PLANNING HISTORY

1400917FUL - Erection of a four bedroom detached 1.5 storey dwelling – withdrawn

1400152EXTDET - Erection of single storey flat roof extension, (extends beyond the rear wall by 8 metres, maximum height of 3 metres and height of 3 metres to eaves) – approved

1300972FUL - Demolition of existing bungalow and erection of three detached one and a half storey dwellings and relocated vehicular access - withdrawn
5. CONSULTATIONS

5.1 Parish Council – Recommend Approval (Copy Attached)

5.2 Cambridgeshire County Council Highway Authority - The proposed access looks to be adequate with regards to geometry and the vehicle to vehicle visibility is in accordance with the speed of the road. Given the above I have no objections to that proposed.

Conditions recommended in relation to no gates to be erected across the approved access unless details agreed with the Local Planning Authority, access to be a minimum width of 5 metres for 10 metres, access to be constructed in accordance with Highway Authority standard and parking area to be provided before occupation and thereafter retained.

6. REPRESENTATIONS

6.1 2 Letters of objection:
- Detrimental impact on view
- Detrimental to highway safety
- Loss of privacy
- Traffic creation/problems
- Road Safety
- Traffic calming is ineffective
- Developers of adjacent site to the North West were advised that any application to further develop No. 67 housing would be steadfastly refused
- Question whether there is to be high density developments in every “postage stamp” of free land?
- Land at 67 Ermine Street is lower than 65, not consider there to be any benefit consider the reverse true in terms of privacy
- Consider the removal of the dilapidated outbuilding was for the benefit of the developer as much as the neighbours. This was for the benefit of the developer as much as anyone else.
- The application states the intention to replant conifers along the boundary. This would have a serious impact on view and light reaching No 65.
- Concern over access on to Ermine Street and its width, opposite another road junction. This part of the road is also badly lit
- Concern over building line, if this was not an issue consider that then everyone with a piece of land to the rear could build on it
- Potential for existing dwelling that marks the entrance to one of the drives to Stukeley Hall (grade II listed building) to become overcrowded by shoehorning a new dwelling into its grounds
- Existing dwelling should be preserved as it has history to the village and not be over developed, if developed it would damage its important parkland setting
- Advised when relocating my house that as it joined the parkland (open countryside) that unable to locate it nearer to the boundary, take it that as this new dwelling joins the same parkland the same rules apply and this application should be refused on those grounds
- Question if a preservation order could be placed on the building and its grounds to stop further development destroying historical parts of the village

7. **ASSESSMENT**

7.1 Paragraph 215 of the NPPF requires that ‘...due weight should be given to relevant policies in existing plans according to their degree of consistency with this framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given).’

7.2 Paragraph 216 states that ‘...decision-takers may also give weight to relevant policies in emerging plans according to:

* the stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given);
* the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
* the degree of consistency of the relevant policies in the emerging plan to the policies in this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given)

The main issues to consider are:

- the principle of development
- impact on the character and appearance of the area,
- impact on amenity,
- impact on trees,
- parking and highway safety
- contributions

**Principle of residential development**

7.3 Paragraph 49 of the National Planning Policy framework states that housing applications should be considered in the context of the presumption in favour of sustainable development. The NPPF seeks to provide high quality homes and in the case of rural areas the NPPF states that housing should be located where it will enhance or maintain the vitality of rural communities. Paragraph 53 states that Local planning authorities should consider the case for setting out policies to resist inappropriate development of residential gardens, for example where development would cause harm to the local area.

7.4 Policy CS3 of the Adopted Core Strategy identifies Great Stukeley as a Smaller Settlement in which residential infilling will be appropriate within the built-up area. Policy LP 10 of the Draft Local Plan states that a proposal which is located within the built-up area of a Small Settlement will be considered on individual sustainability merit and having regard to other policies in the Local Plan.

7.5 In terms of considering the principle of the development the application site is considered to lie within the built up area of Great Stukeley when considered against policy CS3 of the Core Strategy.
7.6 These policies are consistent with the National Planning Policy Framework particularly paragraph 7 which details the three dimensions of sustainable development and can be given significant weight. Policies in the emerging Local Plan may be subject to change and therefore limited weight can be attributed to policy LP10.

7.7 In considering the sustainability matters, due regard is had to the fact that Great Stukeley has limited services. Residents are likely to access services in Huntingdon. Policy LP10 also states that the effect on the character of the settlement and surroundings will be considered as part of the sustainability issue.

7.8 The development may be supported in principle, however it is necessary to consider whether the site it considered acceptable for development in all other regards.

Impact on the character and appearance of the area

7.9 67 Ermine Street once had an historic association with the Hall, being the former gatehouse to Stukeley Park, and it contributes to the understanding of the arrangement of parkland (Stukeley Park) around the listed building. The building is considered to be an attractive historic building of architectural interest and it is an appropriate form of development on the edge of the planned landscaping which characterises the appearance of the land north of Ermine Street.

7.10 67 Ermine Street is located on an irregular shaped plot with parkland to the east. The dwelling has been recently been extended with a single storey flat roof extension under the prior approval procedure. This side of Ermine Street within the immediate locality is characterised by dwellings / buildings set back from the highway in relatively spacious plots. Development is linear in form along Ermine Street, although a residential estate does lie to the rear of the properties along Ermine Street. There are no examples of in-depth development along this part of Ermine Street. Whilst there are a number of buildings to the rear of 65 Ermine Street these are all ancillary and subservient to the main dwelling.

7.11 Since the withdrawal of the previous application a fence has been erected on site which subdivides the site to provide 67 Ermine Street with a smaller garden. This permits access to the rear of the site to the south east. This area of the site is slightly higher than the land with the enclosed amenity space associated with No. 67. Within this space there are two trees, whilst these are indicated to be retained there are concerns that the provision of the access way given the differences in levels may result in harm to these existing trees.

7.12 Paragraph 56 of the NPPF states that good design is a key aspect of sustainable development and is indivisible from good planning. Paragraph 58 aims to ensure development amongst other issues responds to the local character history and reflects the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation and seeks to ensure a visually attractive result of good architecture. Paragraph 64 states that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.
7.13 The proposed dwelling has been designed to have regard to the existing dwelling on the site. Whilst the proposal incorporates a hipped roof and is of a chalet style, it is not considered that the dwelling is of a good design or appropriate scale, by virtue of the elongated width and mass of the roof of the dwelling when compared to the existing gatehouse dwelling.

7.14 67 Ermine Street fronts the road and is considered well related to the parkland setting. In contrast, the proposed dwelling is greater in width than the host dwelling and there is less space around it.

7.15 The proposed dwelling would be visible in part through the existing access, from the adjacent parkland and right of way, Ermine Street to the north west, particularly when the trees are not in leaf and also from the adjacent highway. Having regard to the siting, scale and design of the proposed dwelling the development is considered to result in a dwelling and curtilage which is not sympathetic to the locality including the parkland setting.

7.16 It is considered that the addition of a dwelling to the rear of the gatehouse would result in back land development, with a contrived access route. Development of this form would be out of keeping with the character of the area, which is of a linear form along Ermine Street and would result in a dwelling and curtilage not of a size and form sympathetic to the locality. The proposed development would fail to respect the established pattern of development, and would fail to positively contribute to the character and appearance of the rural area.

7.17 The proposal is contrary to policies En25 and H32 of the Local plan, policy CS1 of the Adopted Core Strategy, Draft Policies LP10 and LP13 of the Local Plan to 2036: Stage 3, and the Design Guide. These policies are consistent with the emphasis in the National Planning Policy Framework on the importance of good design, and the protection of local distinctiveness, particularly paragraphs 7, 17, 56, 58, and 60 and can be given significant weight in the determination of this application. However, policies within the emerging Local Plan may be subject to change and therefore limited weight can be attributed to policies LP10 and LP13.

Impact on amenity

7.18 The separation distance between the front of the proposed dwelling and rear of the host dwelling measures 20 metres. A close boarded fence divides the site. Given the separation distance, the fact that the proposed dwelling is one and a half storey in height, with no windows/rooflights within the front elevation), it is not considered that the proposal would have a significant detrimental impact on amenity by reason of overlooking, overshadowing or being overbearing. It is recognised that there is likely to be some noise and disturbance with the use of the proposed gravel driveway, however given the separation space this is not considered to result in a significant detrimental impact on amenity.

7.19 No. 65 is located to the west / north west of the application site. No. 65 is located on higher ground than the application site and first floor
dormer windows face towards the site and 67 Ermine Street. A fence forms the boundary. The windows of No. 65 face towards the proposed parking area for the dwelling. Whilst they may overlook this area this would result in any significant detrimental impact on amenity as this cannot be considered to be private amenity space.

7.20 The dwelling has been designed with two windows along this side elevation, one serving a bathroom and the other a bedroom. A door is also proposed to the utility room. Given the separation space and boundary treatment that exists, this would not result in a significant detrimental impact on amenity by reason of overlooking.

7.21 Having regard to the proposed separation between the proposed dwelling and 65 Ermine Street the development would not have an overbearing impact on neighbours.

7.22 There are concerns however with the relationship of the proposed dwelling and private amenity space of No. 65, more specifically with the patio area which is located between the garage and dwelling but not readily visible on the site plan. Having regard to the relationship of the proposed dwelling and private amenity, it is considered that this would result in a significant detrimental impact on amenity by reason of overshadowing. In light of this the proposal is not considered to comply with policy H34 of the Local Plan, policy LP15 of the Draft Local Plan to 2036 and the NPPF as these policies are considered to be consistent with the core planning principle in the National Planning Policy Framework (paragraph 17) of securing a good standard of amenity for all existing and future occupants of land and buildings. However, the policies within the emerging Local Plan may be subject to change and therefore limited weight can be attributed to this policy.

Trees:

7.23 The trees to the north of the site are protected by a Tree Preservation Order. However, given the positioning of the new dwelling away from these trees, there would be no harm to these trees.

7.24 As already detailed there are two trees within the access route to the proposed dwelling, whilst indicated to be retained there are concerns over the feasibility of their retention and provision of the access. If development were permitted, then these trees should be retained. If this were not possible then replacement trees should be planted.

7.25 The Parish Council in their recommendation require a condition for a mixed native species hedgerow along the boundary with Great Stukeley Hall parkland. Whilst this application is not being recommended for approval, the applicant has advised they are agreeable to this request and should the application be approved, this detail should be secured by planning condition.

7.26 The proposal if permitted would comply with policies En18 and LP29 subject to the imposition of appropriate conditions, to either retain the trees or provide replacement trees. A refusal could not be justified on tree grounds alone. These policies are consistent with the NPPF paragraph 17 which seeks to conserve and enhance the natural environment, however as policy LP29 is an emerging policy it can only be afforded limited weight.
Parking and Highway:

7.27 Parking is available on the site. Whilst no dedicated cycle parking is indicated, there is space within the site to enable this to be provided securely.

7.28 The County Council Highway Authority has been consulted on the access and they have advised that the proposed access looks to be adequate with regards to geometry and the vehicle to vehicle visibility is in accordance with the speed of the road. Whilst noting concerns have been raised in the representations received, the Highway Authority has no objections to the development. It is not considered that this development harms highway safety.

7.29 The proposal therefore accords with policies LP17 and LP18 of the Draft Huntingdonshire Local Plan to 2036: Stage 3 (2013). These policies are consistent with the NPPF paragraph 32 that requires safe and suitable access to the site for all people, however as these are emerging policies they can only be afforded limited weight.

Archaeology:

7.30 Although the County Council has not commented on this application, they did comment on planning application 1300972FUL which was subsequently withdrawn. These comments stated that ‘records indicate that the site lies in an area of high archaeological potential. Archaeological excavations directly to the sites west revealed multi-period remains (including human remains) ranging from the Romano-British period through to the post-mediaeval period (HER No. ECB3536). The site is adjacent to the route of Ermine Street (a Roman road - HER No. MCB15034) and is likely to have remains associated with this road within its boundary. Two Roman burial mounds are also present within 300m to the north west of the current application area (HER No. MCB3249 & MCB3250).

7.31 We therefore consider that the site should be subject to a programme of archaeological investigation and recommend that this work should be commissioned and undertaken at the expense of the developer....'

7.32 Should the application have not been recommended for refusal then a condition would have been considered necessary to secure a programme of archaeological work.

7.33 The proposal if permitted would comply with policy En12, and Draft Local Plan policy LP31 subject to the imposition of appropriate conditions. These policies are consistent with the NPPF paragraph 17 which seeks to conserve heritage assets, however as policy LP31 is an emerging policy it can only be afforded limited weight.
Bin Contributions:

7.34  At the time of writing the report the applicant had not submitted a completed Wheeled Bin Contribution Unilateral Undertaking. The applicant has been requested to complete this undertaking. Should the Wheeled Bin Contribution Unilateral Undertaking not have been received and completed by the date of the Development Management Panel meeting then it is recommended that an additional reason for refusal is added, that being that the development fails to accord with the Developer Contribution SPD.

Other Matters not already taken into consideration:

7.35  Detrimental impact on view – this is not a material consideration as there is no right to a private view

7.36  Concern over the intention to replant conifer trees along the boundary to 65 Ermine Street is noted, however this would not require the approval of the Local Planning Authority

7.37  Reference is made to another site and its replacement and associated impact on the countryside, although noting this point each case is considered on its own merits

7.38  Question whether the Council could put a preservation order on the building and its grounds to stop further development destroying historical parts of the village – the Local Planning Authority do not have any powers to place such an order. Anyone wishing to suggest a building for listing would need to contact English Heritage, the details and forms that would need to be completed and the criteria used to determine how buildings are chosen are set out on English Heritage’s website. The decision on whether to list a building is taken by Secretary of State for Culture, Olympics, Media and Sport and as such is out of the control of the Council.

Conclusion

7.39  The proposed development is not considered to be acceptable resulting in harm to the character and appearance of the area and to neighbour amenity.

7.40  Having regard to applicable national and local planning policies and having taken all relevant material considerations into account, it is therefore recommended that planning permission should be refused.

8.  RECOMMENDATION – REFUSE for the following reasons

1.  The proposed development does not represent good design, and would result in a dwelling and curtilage not of a size and form sympathetic to the locality. The addition of a dwelling to the rear of the gatehouse would result in back land development, with a contrived access route. Development of this form would be out of keeping with the character of the area, which is of a linear form along Ermine Street. The proposed development fails to contribute positively to the character and appearance of the rural area. The proposal is contrary to policy En25 and H32 of the Local plan, policy CS1 of the Adopted
Core Strategy, Draft Policy LP10 and LP13 of the Local Plan to 2036: Stage 3, and the Design Guide, Section 1.2.6 and 2.2 and paragraphs 7, 17, 56, 58 and 60 of the NPPF

2. The proposed development, by virtue of its height, depth and proximity to the boundary, would harm the private amenity space associated with No. 65 Ermine Street by reason of overshadowing. The proposal is contrary to policy H31 of the Local Plan and LP15 of the Draft Local Plan to 2036 and paragraph 17 of the NPPF

If you would like a translation of this document, a large text version or an audio version, please contact us on 01480 388388 and we will try to accommodate your needs.

CONTACT OFFICER:
Enquiries about this report to Michelle Nash Development Management Officer 01480 388405
Planning Application comments have been made. A summary of the comments is provided below.

Comments were submitted at 4:16 PM on 03 Dec 2014 from Mrs Carole Pollock.

**Application Summary**
- **Address:** Land At 67 Ermine Street Great Stukeley
- **Proposal:** Detached dwelling
- **Case Officer:** Michelle Nash

**Customer Details**
- **Name:** Mrs Carole Pollock
- **Email:** parishclerk.spc@btinternet.com
- **Address:** 5 Gore Tree Road, Hemingford Grey, Cambridgeshire PE28 9BP

**Comments Details**
- **Commenter Type:** Town or Parish Council
- **Stance:** Customer made comments in support of the Planning Application
- **Reasons for comment:**
- **Comments:** The Stukeleys Parish Council recommend approval as the plans are for a modest building that does not detract from the historic setting of lodge nor the street scene BUT with a condition should require a mixed native species hedgerow along the boundary with Great Stukeley Hall parkland.
This Plan includes the following Licensed Data: OS MasterMap Colour PDF Site Location Plan - Mini by the Ordnance Survey National Geographic Database and incorporating surveyed revision available at the date of production.
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Scale: 1:1250, paper size: A4

Access to 67 + Proposed.
PROJECT:
NEW BUILD - CHALET BUNGALOW
67 ERMINE STREET, GREAT STUKELEY

DRG TITLE:
PLANNING APPLICATION - SITE PLANS

DATE:
28/09/14

NOTES:
1. This drawing is to be read in conjunction with all other service and structural engineers' calculations, drawings and specifications.
2. All dimensions are to be checked on site before ordering or construction commence, any discrepancies/alterations are to be reported to the architect.
3. All levels shown are indicative and are to be confirmed on site with the architect and client.
4. All dimensions are in millimetres unless shown otherwise.
NOTES:

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PROJECT:
NEW BUILD - CHALET BUNGALOW
67 ERMINE STREET, GREAT STUKELEY

DRG TITLE:
PLANNING APPLICATION - PROPOSED ELEVATIONS / FLOORPLANS

DATE: 28/09/14
DRG No: 2 OF 3
SHEET No: 1:100
SIZE: A1

SOUTH WEST ELEVATION

SOUTH EAST ELEVATION

NORTH EAST ELEVATION

NORTH WEST ELEVATION

GROUND FLOOR LAYOUT

1st FLOOR LAYOUT
NB. PITCHED ROOF